

PB#10-13

Anthony's Pier 9

17-1-27,26,25,28

47-4-39,40

PLANNING BOARD

TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553

Appl No:10-13

File Date:04/09/2010

SEC-BLK-LOT:48-2-1-0

Project Name:ANTHONY'S PIER 9 LOT LINE

Type:2

Location: 2975 RT. 9W NEW WINDSOR, NY 12553

Owner's Name:PIER PROPERTIES, LLC

Phone:(845) 565-3390

Address:2975 RT. 9W NEW WINDSOR, NY 12553

Applicant's Name:PIER PROPERTIES, LLC

Phone:(845) 565-3390

Address:2975 RT. 9W NEW WINDSOR, NY 12553

Preparer's Name:HEINSMAN SURVEYING

Phone:(845) 632-3019

Address:1538 ROUTE 52 FISHKILL, NY 12524

Proxy/Attny's Name:JOSEPH RONES, ESQ.

Phone:(845) 562-0203

Address:RT. 207 NEW WINDSOR, NY 12553

Notify:MICHAEL BONURA FAX: 845-565-9451

Phone:(845) 797-2977

Size:

Acreage
10.000

Zoned
NC

Prop-Class
0

Stage

Status
A

Printed-on
06/17/2010

Schl-Dist
CORNWA

Sewr-Dist

Fire-Dist

Light-Dist

Appl for:LOT LINE CHANGE RO ADD 25' TO THE NORTH SIDE OF THE ANTHONYS
PIER 9 LOT.

Addl Municipal Services:

Streets:

Water:

Sewer:

Garbage:



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

OFFICE OF THE PLANNING BOARD

June 17, 2010

ATTN: Mike Bonura

SUBJECT: 10-13 Anthony's Pier 9 Lot Line

Dear Mr. Bonura:

Please contact your client, the applicant, and ask that payment be submitted in separate checks, payable to the Town of New Windsor, as follows:

Check #1 – Approval Fee.....	\$ 150.00
Check #2 – Amount Over Escrow.....	\$ 679.50

Upon receipt of these checks, I will have them stamped and signed approved.

If you have any questions in this regard, please contact my office.

Very truly yours,

Nicole T. Julian, Secretary To The
NEW WINDSOR PLANNING BOARD

NTJ

○ Town of New Windsor ○
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#292-2010

06/17/2010

MFPJJRT Enterprises, Inc. *P.B. #10-13*
2975 Route 9w
New Windsor, NY 12553

Received \$ 150.00 for Planning Board Fees, on 06/17/2010. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

**TOWN OF NEW WINDSOR
PLANNING BOARD**

RECEIPT OF MONEY RECEIVED:

DATE RECEIVED: 06/17/2010
CLOSEOUT

FOR: PB#10-13 **ESCROW**

Close out

FROM: **MFPJJRT ENTERPRISES, INC. ANTHONY'S PIER 9**
2975 ROUTE 9W
NEW WINDSOR, NY 12553

CHECK NUMBER: **37348**

AMOUNT: **679.50**

RECEIVED AT COMPTROLLER'S OFFICE BY:

J. Henry 6-17-10

ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER	
PB#10-13 Escrow closeout	37348
MFPJJRT ENTERPRISES, INC. ANTHONY'S PIER 9 2975 ROUTE 9W NEW WINDSOR, NY 12553	Banknorth, N.A. New York NORTH PLANK ROAD NEWBURGH, NY 12550
Check Number: 37348	DATE Jun 17, 2010
55-150/212	AMOUNT \$ 679.50
Memo: Six Hundred Seventy-Nine and 50/100 Dollars	
PAY TO THE ORDER OF: Town of New Windsor 555 Union Avenue New Windsor, NY 12553	<i>[Signature]</i> AUTHORIZED SIGNATURE

THIS DOCUMENT CONTAINS HEAT SENSITIVE INK. TOUCH OR PRESS HERE. RED IMAGE DISAPPEARS WITH HEAT.

037348 021201503 3981798014

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 06/17/2010

PAGE: 1

PLANNING BOARD FINANCIAL DETAIL REPORT

PROJECT NO: 10-13
PROJECT NAME: ANTHONY'S PIER 9 LOT LINE
OWNER NAME: PIER PROPERTIES, LLC

TYPE	--DATE--	DESCRIPTION-----	--AMT-CHG	-AMT-PAID	--BAL-DUE
.					
A	04/09/10	APPLICATION FEE	75.00		
A	04/09/10	REC CK# 37031		75.00	
			-----	-----	-----
APPLICATION TOTAL:					0.00
.					
E	04/09/10	REC CK# 37032		200.00	
E	04/28/10	PB MINUTES	21.00		
E	05/27/10	PB MINUTES CHARGED ON SITE PLA	0.00		
E	06/17/10	ENGINEER FEES	451.50		
E	06/17/10	ATTNY FEES	407.00		
			-----	-----	-----
ESCROW TOTAL:					679.50
.					
Z	06/17/10	APPROVAL FEES	150.00		
			-----	-----	-----
APPROVAL TOTAL:					150.00
.					
GRAND TOTAL:					=====
					829.50

Date		Received From/Paid To		Chq#	General		Bld	Trust Activity		
Entry #	Explanation	Rec#	Repts	Disbs	Fees	Inv#	Acc	Repts	Disbs	Balance
12132A TOWN OF NEW WINDSOR										
6323713	ANTHONY'S PIER 9 LOT LINE CHANGE PS# 10-13									Resp Lawyer: DRC
Apr 13/2010	Lawyer: DRC 0.30 Hrs X 185.00									
319368	REVIEW APPLICATION MATERIALS				55.50	16313				
Apr 23/2010	Lawyer: DRC 0.10 Hrs X 185.00									
322069	REVIEW M. EDSALL'S COMMENTS				18.50	16313				
Apr 27/2010	Lawyer: ALZ 1.10 Hrs X 185.00									
320830	PREPARE RESOLUTIONS AND				203.50	16313				
	NEGATIVE DECLARATION									
Apr 27/2010	Lawyer: ALZ 0.50 Hrs X 185.00									
320831	REVISE RESOLUTIONS AND NEGATIVE				92.50	16313				
	DECLARATION									
Apr 28/2010	Lawyer: DRC 0.20 Hrs X 185.00									
322189	ATTEND PLANNING BOARD MEETING				37.00	16313				
May 11/2010	Lawyer: DRC 0.20 Hrs X 185.00									
324678	REVIEW REVISED PLANS				37.00					
May 17/2010	Billing on Invoice 16313									
325775	FEES 407.00			0.00		16313				
May 24/2010	Lawyer: DRC 0.10 Hrs X 185.00									
329957	REVIEW M. EDSALL'S COMMENTS				18.50					
May 26/2010	Lawyer: DRC 0.20 Hrs X 185.00									
330073	AGGREGATE TIME SPENT REVIEWING				37.00					
	AND FINALIZING THE RESOLUTIONS									
May 26/2010	Lawyer: DRC 0.10 Hrs X 185.00									
330093	ATTEND PLANNING BOARD MEETING				18.50					
May 26/2010	Lawyer: ALZ 0.80 Hrs X 185.00									
331197	REVISE PIER PROPERTIES				148.00					
	SUBDIVISION RESOLUTIONS AND									
	NEGATIVE DECLARATIONS									
TOTALS										
PERIOD	CHE	UNBILLED	REC	FEES	TOTAL	DISBS	FEES	TAX	RECEIPTS	BALANCES
	0.00	0.00		259.00	259.00	0.00	407.00	0.00	0.00	A/R TRUST
										407.00 0.00

REPORT SELECTIONS - Client Ledger

Layout Template	Default
Advanced Search Filter	None
Requested by	Raina Davis
Finished	Thursday, June 17, 2010 at 10:27:06 AM
Ver	9.31d
Matters	6323713
Clients	All
Major Clients	All
Client Intro Lawyer	All
Matter Intro Lawyer	All
Responsible Lawyer	All
Assigned Lawyer	All
Type of Law	All
Select From	Active, Inactive Matters
Matters Sort by	Default
New Page for Each Lawyer	No
New Page for Each Matter	No
No Activity Date	Dec 31/2199
Firm Totals Only	No
Totals Only	No
Entries Shown - Billed Only	No
Entries Shown - Disbursements	Yes
Entries Shown - Receipts	Yes
Entries Shown - Time or Fees	Yes
Entries Shown - Trust	Yes
Incl. Matters with Retainer Bal	No
Incl. Matters with Neg Unbld Disb	No
Trust Account	All
Working Lawyer	All
Include Corrected Entries	No
Show Check # on Paid Payables	No
Show Client Address	No
Consolidate Payments	No
Show Trust Summary by Account	No
Show Interest	Yes
Interest Up To	Jun 17/2010
Show Invoices that Payments Were Applied to	No
Printed from	Register

10-13

TOWN OF NEW WINDSOR**LOT LINE CHANGE FEE SCHEDULE**

APPLICATION FEE:

\$ 75.00 ✓

ESCROW (\$150.00 - \$400.00)

\$ 200.00 ✓

APPROVAL FEES:

PRE-PRELIMINARY PLAT APPROVAL

\$ 50.00

PRELIMINARY PLAT APPROVAL

\$ 50.00

FINAL APPROVAL

\$ 50.00

TOTAL APPROVAL FEES:

\$ 150.00 ✓

CHARGES TO BE DEDUCTED FROM ESCROW:

ESCROW POSTED:

- \$ 200.00 ✓

PLANNING BOARD ENGINEER FEE

\$ 451.50 ✓

PLANNING BOARD ATTORNEY FEE

\$ 407.00 ✓

MINUTES OF MEETINGS

\$ 21.00 ✓

OTHER

\$ _____

TOTAL DEDUCTED:

\$ _____

AMOUNT TO BE RETURNED TO APPLICANT: \$ _____

AMOUNT DUE TOWN OF NEW WINDSOR: \$ _____

AS OF: 06/17/2010

PAGE: 1

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSO

TASK: 10- 13

FOR ALL WORK ON FILE:

TASK-NO	REC	--DATE--	TRAN	EMPL	ACT DESCRIPTION-----	RATE	HRS.	-----DOLLARS-----		
								TIME	EXP.	BILLED BALANCE
10-13	429024	04/05/10	TIME	MJE	MC PIER PROP L/L W/MR	129.00	0.30	38.70		
10-13	429025	04/05/10	TIME	MJE	MC PIER PROP S/P W/MR	129.00	0.30	38.70		
10-13	429053	04/06/10	TIME	MJE	MC PIER PROP L/L W/MR	129.00	0.20	25.80		
10-13	429077	04/07/10	TIME	MJE	WS PIER PROP PETRO LL	129.00	0.40	51.60		
10-13	430330	04/19/10	TIME	MJE	AA PIER PROP LL OODP	129.00	0.40	51.60		
10-13	430397	04/23/10	TIME	MJE	MR PIER PROP RD	129.00	0.50	64.50		
10-13	431784	04/28/10	TIME	MJE	MM REG MTG PIER 9 L/L	129.00	0.30	38.70		
10-13	433668	05/20/10	TIME	MJE	MR PIER PROP LL	129.00	0.40	51.60		
10-13	437403	05/24/10	TIME	MJE	MR PIER 9 LL REVISE COM	129.00	0.10	12.90		
10-13	437413	05/24/10	TIME	MJE	PM PIER 9 SP AM W/GA	129.00	0.10	12.90		
10-13	435589	05/26/10	TIME	MJE	MM Pier Prop LL APPD	129.00	0.10	12.90		
10-13	437473	05/26/10	TIME	MJE	MC EMC DC PIER PROP	129.00	0.10	12.90		
10-13	437481	05/26/10	TIME	MJE	MM PIER PROP REG MTG	129.00	0.30	38.70		
								451.50		
10-13	435153	05/21/10			BILL 10-928				-309.60	
									-309.60	
TASK TOTAL								451.50	-309.60	141.90
									0.00	
GRAND TOTAL								451.50	-309.60	141.90
									0.00	

**RESOLUTION GRANTING APPROVAL
FOR A LOT LINE CHANGE**

*Pier Properties LLC- R&D Properties Lot Line Change
PB # 10-13*

WHEREAS, an application was made to the Planning Board of the Town of New Windsor for approval of a lot line change by Pier Properties LLC (the "applicant") for a project described as the "Pier Properties LLC - R&D Properties Lot Line Change"; and

WHEREAS, the subject site is comprised of nine tax map parcels located on U.S. Route 9W in the Town of New Windsor identified on the tax map as section 37, block 1, and lot 25 (SBL 37-1-25), section 37, block 1, and lot 26 (SBL 37-1-26), section 37, block 1, and lot 27 (SBL 37-1-27), section 37, block 1, and lot 28 (SBL 37-1-28), section 47, block 1, and lot 39 (SBL 47-1-39), section 47, block 1, and lot 40 (SBL 47-1-40), section 37, block 1, and lot 22 (SBL 37-1-22), section 37, block 1, and lot 23 (SBL 37-1-23), and section 37, block 1, and lot 24 (SBL 37-1-24); and

WHEREAS, the action involves a request for a lot line change between Pier properties and R& D Properties, which is a minor subdivision approval from the Town of New Windsor; and

WHEREAS, approximately 12,562 square feet is being conveyed from R&D Properties (Lots 23 and 24) to Pier Properties (lots 25 and 27) Following the same, all R&D Properties lots are being combined to a single lot; and

WHEREAS, the applicant has submitted a fully executed short form Environmental Assessment Form ("EAF") pursuant to the New York State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, the Planning Board conducted an uncoordinated SEQRA review for this project; and

WHEREAS, during the course of the Planning Board's review of the Applicant's proposed subdivision plat, the Planning Board received and considered correspondence from the public as well as the Town's consultants; and

WHEREAS, in accordance with the Planning Board's authority under Town Code § 257-13(A), the Planning Board waived the public hearing on the minor subdivision; and

WHEREAS, the application and related materials were submitted to the Orange County Planning Department ("OCDP") for its review pursuant to the requirements of the General Municipal Law § 239-m, and OCDP responded on May 24, 2010 recommending local determination; and

WHEREAS, the Planning Board has carefully considered all of the comments raised by the public, the Board's consultants, and other interested agencies, organizations and officials, including those presented at numerous meetings of the Board as well as those submitted separately in writing; and

WHEREAS, the applicant has submitted a proposed subdivision plat consisting of one sheet, prepared by Raymond E. Heinsman Professional Land Surveyor, P.L.L.C. dated April 2, 2010 and last revised on May 4, 2010; and

WHEREAS, the applicants are seeking lot line change approval for the subdivision plat, which would not create any new lots nor result in any additional disturbances beyond that previously reviewed for this application;

WHEREAS, the Planning Board has heretofore determined that the Proposed Action minimizes or avoids significant environmental impacts and, adopted a Negative Declaration as part of the approval of the lot line change.

NOW, THEREFORE, the Planning Board finds that the applicant has satisfied the requirements of Town Code § 257 and approves the subdivision subject to the following terms and conditions:

1. The applicant shall pay all outstanding fees due the Town in connection with this application;
2. The applicant shall make any required revisions to the subdivision plat to the satisfaction of the Planning Board Engineer and Planning Board Attorney;
3. The applicant shall secure all necessary permits, approvals and authorizations required from any other agency, if required;
4. The applicant shall submit proof of satisfaction of the foregoing conditions and submit a plat for signature within 360 days of the date of this resolution. The Planning Board hereby grants the two (2) ninety (90) day extensions as authorized by Town Law § 257. This approval

will expire on May 21, 2011, and no further extensions can be granted.

Upon motion made by Member MR. Schieble, seconded by Member MR. Gallagher, the foregoing resolution was adopted as follows:

Member, Daniel Gallagher Aye Nay Abstain Absent

Member, Howard Brown Aye Nay Abstain Absent

Member, Neil Schlesinger Aye Nay Abstain Absent

Member, Henry Vanleeuwen Aye Nay Abstain Absent

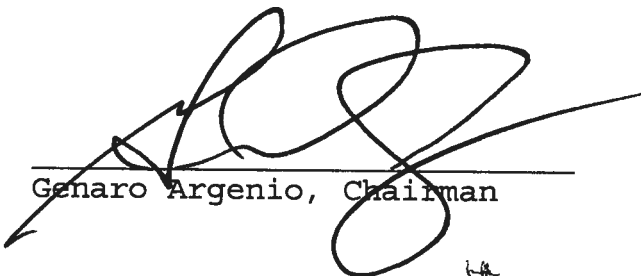
Chairman, Genaro Argenio Aye Nay Abstain Absent

- - -

Alternate, Henry Schieble Aye Nay Abstain Absent

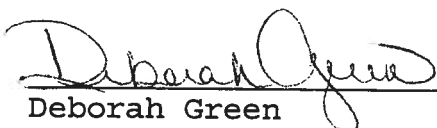
Alternate, Harry Ferguson Aye Nay Abstain Absent

Dated: May 26, 2010
 New Windsor, New York



Genaro Argenio, Chairman

Filed in the Office of the Town Clerk on this 27th day of May, 2010.



Deborah Green
Town Clerk

will expire on May 21, 2011, and no further extensions can be granted.

Upon motion made by Member MR. Schieble, seconded by Member MR. Gallagher, the foregoing resolution was adopted as follows:

Member, Daniel Gallagher Aye Nay Abstain Absent

Member, Howard Brown Aye Nay Abstain Absent

Member, Neil Schlesinger Aye Nay Abstain Absent

Member, Henry Vanleeuwen Aye Nay Abstain Absent

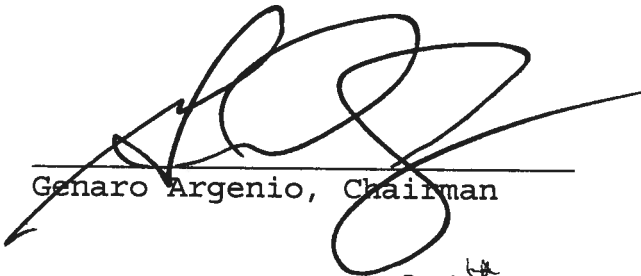
Chairman, Genaro Argenio Aye Nay Abstain Absent

- - -

Alternate, Henry Schieble Aye Nay Abstain Absent

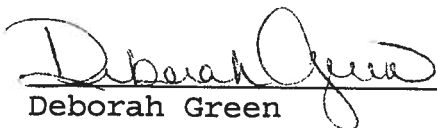
Alternate, Harry Ferguson Aye Nay Abstain Absent

Dated: May 26, 2010
 New Windsor, New York



Genaro Argenio, Chairman

Filed in the Office of the Town Clerk on this 27th day of May, 2010.



Deborah Green
Town Clerk

WHEREAS, the application and related materials were submitted to the Orange County Planning Department ("OCDP") for its review pursuant to the requirements of the General Municipal Law § 239-m, and OCDP responded on May 24, 2010 recommending local determination; and

WHEREAS, the Planning Board has carefully considered all of the comments raised by the public, the Board's consultants, and other interested agencies, organizations and officials, including those presented at numerous meetings of the Board as well as those submitted separately in writing; and

WHEREAS, the applicant has submitted a proposed subdivision plat consisting of one sheet, prepared by Raymond E. Heinsman Professional Land Surveyor, P.L.L.C. dated April 2, 2010 and last revised on May 4, 2010; and

WHEREAS, the applicants are seeking subdivision approval for the subdivision plat, which would not create any new lots nor result in any additional disturbances beyond that previously reviewed for this application;

WHEREAS, the Planning Board has determined that the Proposed Action minimizes or avoids significant environmental impacts and, therefore, the accompanying Negative Declaration is hereby adopted as part of the approval of the lot line change.


NOW, THEREFORE, be it resolved as follows:

1. The Planning Board is lead agency for an uncoordinated review of this action;
2. This is an Unlisted Action for SEQRA purposes;
3. The EAF submitted by the applicant has been fully reviewed and considered by the Planning Board;
4. Having reviewed with due care and diligence the EAF submitted by the applicant, the application herein and all pertinent documentation and testimony received at the public hearing, it is determined that the proposed action will not have, nor does it include, the potential for significant adverse environmental impacts;
5. The Planning Board hereby adopts the SEQRA "Negative Declaration" annexed hereto.

Upon motion made by Member MR. Brown, seconded by Member MR. Schieble, the foregoing resolution was adopted as follows:


Member, Daniel Gallagher	<u>Aye</u>	Nay	Abstain	Absent
Member, Howard Brown	<u>Aye</u>	Nay	Abstain	Absent
Member, Neil Schlesinger	Aye	Nay	Abstain	<u>Absent</u>
Member, Henry Vanleeuwen	Aye	Nay	Abstain	<u>Absent</u>
Chairman, Genaro Argenio	<u>Aye</u>	Nay	Abstain	Absent
- - -				
Alternate, Henry Schieble	<u>Aye</u>	Nay	Abstain	Absent
Alternate, Harry Ferguson	<u>Aye</u>	Nay	Abstain	Absent

Dated: May 26, 2010
New Windsor, New York



Genaro Argenio, Chairman

Filed in the Office of the Town Clerk on this 27th day of May, 2010.



Deborah Green
Town Clerk

**TOWN OF NEW WINDSOR PLANNING BOARD
COUNTY OF ORANGE**

NEGATIVE DECLARATION

Pier Properties LLC Site Plan Amendment

PB # 10-14

AND

Pier Properties LLC- R&D Properties Lot Line Change

PB # 10-13

PLEASE TAKE NOTICE that, according to the provisions of Article 8 of the Environmental Conservation Law and the New York Code of Rules and Regulations Part 617, the Town of New Windsor Planning Board has adopted a Negative Declaration for the project named below. The Planning Board is serving as Lead Agency for this Unlisted Action, for an Uncoordinated Review of this Unlisted Action.

Name of Project: Pier Properties LLC Site Plan Amendment and Lot Line Change
Action Type: Unlisted Action; Uncoordinated Review
Location: Town of New Windsor, County of Orange
Location: U.S. Route 9W
Zoning District: NC Zoning District
Tax Map Parcel: SBL 37-1-25, SBL 37-1-26, SBL 37-1-27, SBL 37-1-28, SBL 47-1-39, SBL 47-1-40, SBL 37-1-22, SBL 37-1-23, and SBL 37-1-24

Summary of Action:

The action involves two requests, one is for lot line change between Pier Properties and R& D Properties, which is a minor subdivision approval from the Town of New Windsor. Approximately 12,562 square feet is being conveyed from R&D Properties (Lots 23 and 24) to Pier Properties (lots 25 and 27). Following the same, all R&D Properties lots are being combined to a single lot. The request for a site plan amendment is to enhance the outdoor landscaping areas on the north and south ends of the existing building as a result of the lot line change between Pier Properties LLC and R&D Properties, northerly neighbor.

Reasons Supporting the Negative Declaration:

Based on its consideration of the available information, the Planning Board finds there would be no significant adverse environmental effects associated with granting minor subdivision approval and granting the site plan amendment approval for Pier Properties. With respect to traffic patterns, traffic safety and emergency access, the proposed project will have access to U.S. Route 9W. Related to this modification, the applicant has re-oriented parking on the site to adjust for the outdoor landscaping as well as create a thirty (30) foot thru-lane in the parking lot. With respect to water and sewer resources, the facility is served by public water and sewer. The site does not constitute significant habitat area for flora or fauna. The site is located in the NC Zone. The proposed site plan is considered to comply with all currently existing zoning requirements and municipal plans for the Town of New Windsor, and is consistent with the community character. Visual impacts, traffic, solid waste generation, energy consumption, nor public service demands would be significant or excessive for the development associated

with this proposed site plan. No other potentially significant harmful environmental impacts are identified.

Date of Adoption of Negative Declaration: May 26, 2010

Agency Address: Town of New Windsor Planning Board

Town Hall – 555 Union Avenue

New Windsor, New York 12553

Tel. (845) 563-4615

Contact Person: Genaro Argenio, Planning Board Chairman



PROJECT: ANTHONY'S PIER 9 LOT LINE P.B. # 10-13

NEGATIVE DEC:

M) Brown S) Schible VOTE: A 5 N X
CARRIED: Y ✓ N

M)___S)___ VOTE: A 5 N X
CARRIED: Y ✓ N

WAIVED: _____ CLOSED: _____

M) _____ S) _____ VOTE: A _____ N _____ SCHEDULE P.H.: Y _____ N _____

SEND TO O.C. PLANNING: Y____
SEND TO DEPT. OF TRANSPORTATION: Y____

REFER TO Z.B.A.: M)____ S)____ VOTE: A____ N____

RETURN TO WORK SHOP: Y__N__

M) scribble VOTE: A 5 N X APPROVED: ✓

NEED NEW PLANS: Y____N____

CONDITIONS – NOTES:

[illegible]



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY & NJ)
MARK J. EDSALL, P.E. (NY, NJ & PA)
JAMES M. FARR, P.E. (NY & PA)

MAIN OFFICE
33 Airport Center Drive
Suite 202
New Windsor, New York 12553
(845) 567-3100
fax: (845) 567-3232
e-mail: mheny@mhepc.com
Writers Email: mje@mhepc.com

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

PROJECT NAME: PIER PROPERTIES LLC - R&D PROPERTIES LOT LINE CHANGE
PROJECT LOCATION: U.S. ROUTE 9W
SECTION 37 - BLOCK 1 - LOTS 25, 26, 27 & 28 and
SECTION 47 - BLOCK 4 - LOTS 39 & 40 with
SECTION 37 - BLOCK 1 - LOTS 22, 23 & 24
PROJECT NUMBER: 10-13
DATE: 26 MAY 2010
DESCRIPTION: THE APPLICATION PROPOSES A LOT LINE CHANGE BETWEEN PIER PROPERTIES AND R&D, FOLLOWED BY THE COMBINATION OF THE RESULTANT R&D PROPERTIES. THE PLAN WAS PREVIOUSLY REVIEWED AT THE 28 APRIL 2010 PLANNING BOARD MEETING.

1. As I understand the intent, approximately 12,562 sf are being conveyed from R&D Properties (from lots 23 and 24) to Pier Properties (lot 25 and 27). Following the same, all R&D Properties lots are being combined to a single lot. This should be confirmed with the applicant as their intent.
2. The various lots of Pier Properties are now depicted. Is there any intent to combine any of these lots ?
3. As per New York State General Municipal Law (GML 239), this plan was referred to the OCPD for review. The application was returned "Local Determination".
4. I suggest the Board defer action on SEQRA to the site plan application, and act jointly on the two applications as a single "action" under SEQRA.

Respectfully Submitted,

Mark J. Edsall, P.E. (P.P.)
Engineer for the Planning Board

MJE/st
NW10-13-26May10.doc

REGIONAL OFFICES

- 111 Wheatfield Drive • Suite 1 • Millford, Pennsylvania 18337 • 570-296-2765 •
- 540 Broadway • Monticello, New York 12701 • 845-794-3399 •

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 05/26/2010

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 10-13

NAME: ANTHONY'S PIER 9 LOT LINE

APPLICANT: PIER PROPERTIES, LLC

DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
05/25/2010	FIRE	05/26/2010	APPROVED
04/20/2010	OCDP	05/24/2010	LOCAL



*Edward A. Diana
County Executive*

ORANGE COUNTY DEPARTMENT OF PLANNING

DAVID CHURCH, AICP
COMMISSIONER

www.orangecountygov.com/planning
planning@orangecountygov.com

124 MAIN STREET
GOSHEN, NEW YORK 10924-2124
TEL: (845) 615-3840
FAX: (845) 291-2533

County Reply – Mandatory Review of Local Planning Action as per NYS General Municipal Law §239-l, m, & n

Local Referring Board: Planning Board of New Windsor

Applicant: Pier Properties, LLC

Project Name: Pier Properties R&D Prop Lot Line Revision

Referral ID #: NWT12-10N

Tax Map #: S: 37 B: 1 L: 24, 26, 27, 28

Tax Map #: S: 37 B: 1 L: 22, 23, 24

Local File #: 10-13

Proposed Action: Subdivision in form of lot line change and possible consolidation

Reason for County Review: Within 500 NYS Route 9W

Date of Full Statement: April 20, 2010

Comments:

The Department has received the above referenced Subdivision and has found no evidence that significant intermunicipal or countywide impacts would result from its approval. We would like to include the following as advisory comments:

1. The proposed Subdivision appears to be consistent with the County Comprehensive Plan and local laws.
2. This department supports consolidating the existing lots to as few as possible to simplify the final layout.
3. Having no further comments, from a County perspective, the department recommends that the Planning Board proceed with its review process

County Recommendation: Local Determination

Date: May 20, 2010

Prepared by: Todd Cohen

David Church, AICP
Commissioner of Planning

As per NYS General Municipal Law 239-m & n, within 30 days of municipal final action on the above referred project, the referring board must file a report of the final action taken with the County Planning Department. For such filing, please use the final action report form attached to this review or available on-line at www.orangecountygov.com/planning.

10-13

RECEIVED MAY 24 2010



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4693

OFFICE OF THE PLANNING BOARD

PROJECT REVIEW SHEET

TO: FIRE INSPECTOR

P.B. FILE #10-13 DATE RECEIVED: 05/25/2010 SBL: 37-1-27,26,25,&28

**PLEASE RETURN COMPLETED FORM TO MYRA
BY: 05/26/2010 TO BE ON AGENDA FOR THE 05/26/2010 PLANNING BOARD
MEETING.**

THE MAPS AND/OR PLANS FOR:

ANTHONY'S PIER 9

Applicant or Project Name

SITE PLAN _____, SUBDIVISION _____, LOT LINE CHANGE XXX,
SPECIAL PERMIT _____

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

☒ **APPROVED:**

Notes: _____

☐ **DISAPPROVED:**

Notes: _____

Signature: [Signature] 5/25/10
Reviewed by date

**FIRE INSPECTOR'S
INTER-OFFICE CORRESPONDENCE**

TO: Genaro Argenio, Planning Board Chairman
FROM: Kenneth Schermerhorn, Asst. Fire Inspector
SUBJECT: PB-10-13
Anthony's Pier 9
SBL: 37-1-27,26,25 &28
DATE: May 25, 2010

Fire Prevention Reference Number: FPS-10-015

A review of the above referenced plan has been conducted and is approved.

RESULTS OF P.B. MEETING OF: APRIL 28, 2010

PROJECT: ANTHONY'S PIER 9 LOT LINE P.B. # 10-13

LEAD AGENCY:

AUTHORIZE COORD. LETTER: Y N
TAKE LEAD AGENCY: Y N

NEGATIVE DEC:

M) S) VOTE: A N
CARRIED: Y N

M) S) VOTE: A N
CARRIED: Y N

PUBLIC HEARING: WAIVED: X CLOSED:

M) S) VOTE: A N SCHEDULE P.H.: Y N

SEND TO O.C. PLANNING: Y
SEND TO DEPT. OF TRANSPORTATION: Y

REFER TO Z.B.A.: M) S) VOTE: A N

RETURN TO WORK SHOP: Y N

APPROVAL:

M) S) VOTE: A N APPROVED:

NEED NEW PLANS: Y N

CONDITIONS - NOTES:

** Good **

*waiting for county then
agenda*



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E. (NY & PA)

WILLIAM J. HAUSER, P.E. (NY & NJ)

MARK J. EDSALL, P.E. (NY, NJ & PA)

JAMES M. FARR, P.E. (NY & PA)

MAIN OFFICE

33 AIRPORT CENTER DRIVE

SUITE 202

NEW WINDSOR, NEW YORK 12553

(845) 567-3100

FAX: (845) 567-3232

E-MAIL: MHENY@MHEPC.COM

WRITERS EMAIL: MJE@MHEPC.COM

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

PROJECT NAME: PIER PROPERTIES LLC – R&D PROPERTIES LOT LINE CHANGE
PROJECT LOCATION: U.S. ROUTE 9W
SECTION 37 – BLOCK 1 – LOTS 25, 26, 27 & 28 and
SECTION 47 – BLOCK 4 – LOTS 39 & 40 with
SECTION 37 – BLOCK 1 – LOTS 22, 23 & 24
PROJECT NUMBER: 10-13
DATE: 28 APRIL 2010
DESCRIPTION: THE APPLICATION PROPOSES A LOT LINE CHANGE BETWEEN
PIER PROPERTIES AND R&D, FOLLOWED BY THE COMBINATION
OF THE RESULTANT R&D PROPERTIES. THE PLAN WAS
REVIEWED ON A CONCEPT BASIS ONLY.

1. As I understand the intent, approximately 12,562 sf are being conveyed from R&D Properties (from lots 23 and 24) to Pier Properties (lot 25 and 27). Following the same, all R&D Properties lots are being combined to a single lot. This should be confirmed with the applicant as their intent.
2. I have reviewed the initial plan and have the following comments / questions:
 - All individual lot lines for the Pier Properties should be depicted. Is there any intent to combine any of the lots ?
 - Based on my understanding in #1 above, all impacted lots are increasing in size, therefore, there is no issue with regard to zoning compliance.
 - Please add NW project number to approval box (above).
3. To my knowledge, there are no other Involved Agencies for this application. As such, the Planning Board may wish to assume the position of Lead Agency under the SEQRA review process.

REGIONAL OFFICES

• 111 WHEATFIELD DRIVE • SUITE 1 • MILFORD, PENNSYLVANIA 18337 • 570-296-2765 •
• 540 BROADWAY • MONTICELLO, NEW YORK 12701 • 845-794-3399 •

4. The Planning Board should determine if a Public Hearing will be necessary for this minor subdivision (in form of lot line change), or if same can be waived per Section 257-13 (A) of the Subdivision Regulations.
5. As per New York State General Municipal Law (GML 239), this plan was referred to the OCPD for review. A response is pending.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'M. Edsall', written in a cursive style.

Mark J. Edsall, P.E., P.P.
Engineer for the Planning Board

MJE/st
NW10-13-28Apr10.doc

April 28, 2010

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REGULAR_ITEMS _____

ANTHONY'S_PIER_9_LOT_LINE_CHANGE_(10-13) _____

MR. ARGENIO: Next is Anthony's Pier 9 lot line change followed by the combination of the, combining of the resultant R & D Properties. The plan was reviewed on a concept basis only. I see Mr. Bonura and his associate here.

MR. J. BONURA: Also Mr. Bonura.

MR. ARGENIO: Mr. Bonura Senior and Junior?

MR. M. BONURA: I'm Michael Bonura.

MR. ARGENIO: Who's your engineer, Hayes?

MR. M. BONURA: Yes. In terms of the lot line change what we're looking to do is procure an additional approximately 25.

MR. ARGENIO: Excuse me. Mark, I have one plan for this, is that appropriate?

MR. EDSALL: The first application is the lot line change and that's a single sheet.

MR. ARGENIO: Never mind, I have two plans, go ahead.

MR. M. BONURA: Sorry, we're looking to purchase roughly 25 feet of land. The reason I say roughly is because the property line moves and we're going to be straightening it out, it's 25 feet of land from our neighbor.

MR. ARGENIO: Can you put the plan on the easel?

MR. SCHEIBLE: So we're all attuned.

3 pgs

MR. ARGENIO: Turn that easel towards us and show us where that property line transfer is.

MR. EDSALL: This one is colorized so it's special.

MR. M. BONURA: You're a good man.

MR. EDSALL: The crosshatched one is the line being eliminated. There's a rental fee.

MR. ARGENIO: Show us what you're extinguishing and what you want to create.

MR. M. BONURA: Absolutely. The existing property here is where the Anthony's Pier 9 site sits, the existing lot line is this one that you see, the dashed lines that my friend color coded it for us, greatly helped us, we plan to extinguish that lot line and move it over this way about 25 feet to the right or the north.

MR. ARGENIO: And this is in support of some change that this is your dad, you and your dad want to make on the Pier 9?

MR. M. BONURA: We want to build a new exterior garden on the north side of the building and we just don't have enough space.

MR. ARGENIO: This is mechanical, go on to the next application. Am I missing something here, guys? Do you guys have any questions on it? The meat is in the next application. Go on to the next one.

First I'll accept a motion to waive public hearing.

MR. SCHLESINGER: So moved.

MR. SCHEIBLE: Second it.

MR. ARGENIO: Motion has been made and seconded that we

April 28, 2010

42

waive the public hearing.

ROLL CALL

MR. GALLAGHER	AYE
MR. BROWN	AYE
MR. SCHEIBLE	AYE
MR. FERGUSON	AYE
MR. SCHEIBLE	AYE
MR. ARGENIO	AYE

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 04/27/2010

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 10-13

NAME: ANTHONY'S PIER 9 LOT LINE

APPLICANT: PIER PROPERTIES, LLC

DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
04/20/2010	OCDP	/ /	

Orange County Department of Planning
Application for Mandatory County Review of Local Planning Action
(Variances, Zone Changes, Special Permits, Subdivisions)

To be completed by Local Board having jurisdiction.
To be signed by Local Official.

MUNICIPALITY: T/New Windsor

TAX MAP ID: 37-1-25/26/27/28 & 37-4-22/23/24
(Section-Block-Lot)

Local File #: 10-13

Please refer to this number in any correspondence.

Project Name: Pier Properties / R&D Prop Lot Line Rev

Applicant: Pier Properties, LLC

Address: 2975 US Rt. 9w, New Windsor, NY 12553

Send Copy of Letter to Applicant: (check one)

Yes ☒ No ☐

Attorney, Engineer, Architect: Heinsman Surveying, 1538 Rt. 52, Fishkill, NY 12524

Location of Site: US Route 9W (west side) - Just North of Forge Hill Road
(Street, highway, nearest intersection)

Size of Parcel: 10+ Ac

Existing Lots: 6

Proposed Lots/Units: 6 or less

Present Zoning District: NC

TYPE OF REVIEW:

☐ Site Plan (SP): _____

☐ Special Use Permit* (SUP) _____

☐ Variance* USE (UV): _____

AREA (AV): _____

☐ Zoning District Change* From: _____ To: _____

☐ Zoning Amendment To Section: _____

☒ Subdivision: Major _____ Minor Subdiv in form of lot line and possible consolidation

☐ Sketch

☐ Preliminary

☐ Final (Please indicate stage)

☒ Other Comments: PB Engineer recommending consolidation of lots where possible.

Date: 4-19-10


Signature

Mark J. Edsall, P.E., P.P.
Engineer for the Planning Board

* Cite Section of Zoning Regulations where pertinent.

FOR COUNTY USE ONLY

County ID# _____

GML 239 Referral Guide – 02/27/2007

**TOWN OF NEW WINDSOR
PLANNING BOARD**

RECEIPT OF MONEY RECEIVED:

DATE RECEIVED: 04/09/2010

FOR: PB#10-13 ESCROW

FROM: MFPJJRT ENTERPRISES, INC (ANTHONY'S PIER 9)

2975 ROUTE 9W

NEW WINDSOR, NY 12553

CHECK NUMBER: 37032

AMOUNT: 200.00

RECEIVED AT COMPTROLLER'S OFFICE BY:

fl emage 4-9-10

PB # 10-13

Escrow

ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER

37032

MFPJJRT ENTERPRISES, INC.
ANTHONY'S PIER 9
2975 ROUTE 9W
NEW WINDSOR, NY 12553



Banknorth, N.A.
New York

NORTH PLANK ROAD
NEWBURGH, NY 12550

Check Number: 37032

55-150/212

DATE

Apr 7, 2010

Memo:

AMOUNT

Two Hundred and 00/100 Dollars

\$ 200.00

PAY
TO THE
ORDER
OF:

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553

[Signature]

AUTHORIZED SIGNATURE

MP SAFEGUARD SECURE
SAFEGUARD SECURE MP

THIS DOCUMENT CONTAINS HEAT SENSITIVE INK. TOUCH OR PRESS HERE - RED IMAGE DISAPPEARS WITH HEAT.

037032 0212015031 3981798014

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#152-2010

04/09/2010

MFPJJRT Enterprises, Inc.
2975 Route 9w
New Windsor, NY 12553

Received \$ 75.00 for Planning Board Fees, on 04/09/2010. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

PB # 10-13 Application Fee

**TOWN OF NEW WINDSOR
PLANNING BOARD**

RECEIPT OF MONEY RECEIVED:

DATE RECEIVED: 04/09/2010

FOR: PB#10-13 ESCROW

FROM: MFPJJRT ENTERPRISES, INC (ANTHONY'S PIER 9)

2975 ROUTE 9W

NEW WINDSOR, NY 12553

CHECK NUMBER: 37032

AMOUNT: 200.00

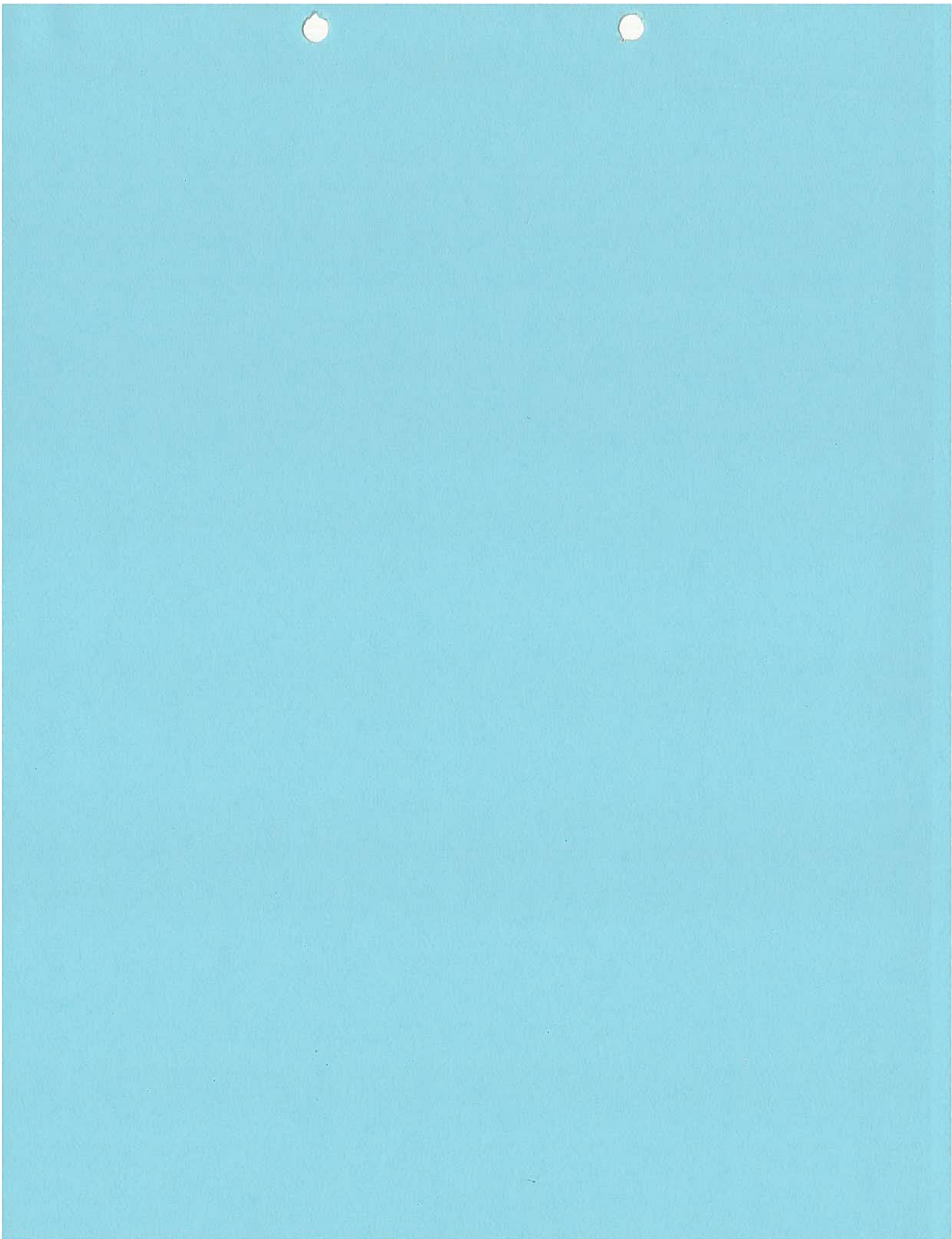
RECEIVED AT COMPTROLLER'S OFFICE BY:

NAME

DATE

PLEASE RETURN SIGNED COPY TO NICOLE FOR FILING

THANK YOU



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553
Telephone: (845) 563-4615
Fax: (845) 563-4689

PLANNING BOARD APPLICATION

TYPE OF APPLICATION (check appropriate item):

Subdivision _____ Lot Line Change ☒ Site Plan _____ Special Permit _____
Tax Map Designation: Sec. 37 Block 1 Lot 27, 26, 25, 28
Sec. 47 Block 4 Lot 39, 40

BUILDING DEPARTMENT TRACKING NUMBER: PA -
MUST FILL IN THIS NUMBER

1. Name of Project Anthony's Pier 9

2. Owner of Record Pier Properties, LLC Phone 845-565-3390

Address: 2975 US Rt. 9W New Windsor NY 12553
(Street Name & Number) (Post Office) (State) (Zip)

3. Name of Applicant SAME Phone _____

Address: _____
(Street Name & Number) (Post Office) (State) (Zip)

4. Person Preparing Plan Heinsman Surveying Phone 845-632-3019

Address: 1538 Route 52 Fishkill NY 12524
(Street Name & Number) (Post Office) (State) (Zip)

5. Attorney Joseph Bones, Esq. Phone 845-562-0203

Address: Route 207 New Windsor NY 12553
(Street Name & Number) (Post Office) (State) (Zip)

1. Person to be notified to appear at Planning Board meeting: E-MAIL: m.bonura@piennire.com

Michael Bonura 845-797-2977 845-565-9451
(Name) (Phone) (fax)

2. Project Location: On the South side of Rt-9W
(Direction) (Street)

8. Project Data: Acreage 10+ Zone NC School Dist. Cornwall

9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Yes _____ No ✓

***This information can be verified in the Assessor's Office.**

***If you answer yes to question 9, please complete the attached AAgricultural Data Statement.**

10. Detailed description of Project: (Use, Size, Number of Lots, etc.) Lot line change to add 25' to the ~~back~~ North side of the Anthony's
Pier 9 lot.

11. Has the Zoning Board of Appeals Granted any Variances for this property? yes _____ no ✓

12. Has a Special Permit previously been granted for this property? yes _____ no ✓

IF THIS APPLICATION IS SIGNED BY ANYONE OTHER THAN THE PROPERTY OWNER, A SEPARATE NOTARIZED STATEMENT OR PROXY STATEMENT FROM THE OWNER MUST BE SUBMITTED, AT THE TIME OF APPLICATION, AUTHORIZING THIS APPLICATION.

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

THE UNDERSIGNED APPLICANT, BEING DULY SWORN, DEPOSES AND STATES THAT THE INFORMATION, STATEMENTS AND REPRESENTATIONS CONTAINED IN THIS APPLICATION AND SUPPORTING DOCUMENTS AND DRAWINGS ARE TRUE AND ACCURATE TO THE BEST OF HIS/HER KNOWLEDGE AND/OR BELIEF. THE APPLICANT FURTHER ACKNOWLEDGES RESPONSIBILITY TO THE TOWN FOR ALL FEES AND COSTS ASSOCIATED WITH THE REVIEW OF THIS APPLICATION.

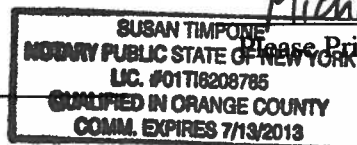
SWORN BEFORE ME THIS:

7 DAY OF April 2010

Michael Borura
(OWNER'S SIGNATURE)

Michael Borura
(AGENT'S SIGNATURE)

Susan Timporie
NOTARY PUBLIC



Michael Borura
Please Print Agent's Name as Signed

TOWN USE ONLY:

DATE APPLICATION RECEIVED

APPLICATION NUMBER

AGENT/OWNER PROXY STATEMENT
(for professional representation)

for submittal to the:
TOWN OF NEW WINDSOR PLANNING BOARD

R&D Properties, Donna Bremer, deposes and says that he resides
(OWNER)

at 2989 Us Route 9W - New Windsor in the County of Orange
(OWNER'S ADDRESS)

and State of New York and that he is the owner of property tax map

(Sec. 37 Block 1 Lot 24)
(Sec. 37 Block 1 Lot 23)

designation number (Sec. 37 Block 1 Lot 22) which is the premises described in
the foregoing application and that he designates:

Pier Properties, LLC - Michael Bonura - 2975 US Rt. 9W, New Windsor, NY 12553
(Agent Name & Address)

(Name & Address of Professional Representative of Owner and/or Agent)

as his agent to make the attached application.

**THIS DESIGNATION SHALL BE EFFECTIVE UNTIL WITHDRAWN BY THE OWNER OR
UNTIL TWO (2) YEARS FROM THE DATE AGREED TO, WHICH EVER IS SOONER.**

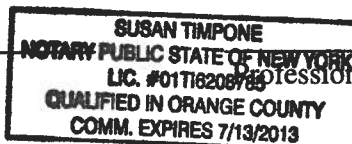
SWORN BEFORE ME THIS:

** Donna Bremer
Owner's Signature (MUST BE NOTARIZED)

7 DAY OF April 2010

Michael Bonura
Agent's Signature (If Applicable)

Susan Timpone
NOTARY PUBLIC



Professional Representative's Signature


****PLEASE NOTE: ONLY OWNER'S SIGNATURE MUST BE NOTARIZED.**

THIS PROXY SHALL BE VOID TWO (2) YEARS AFTER AGREED TO BY THE OWNER

**TOWN OF NEW WINDSOR PLANNING BOARD
SUBDIVISION/LOT LINE CHANGE CHECKLIST**

The following checklist items shall be incorporated on the Subdivision Plan prior to consideration for being placed on the Planning Board Agenda:

1. _____ Name and address of Applicant.
- * 2. _____ Name and address of Owner.
3. _____ Subdivision name and location
4. _____ **Provide 4" wide X 2" high box (IN THE LOWEST RIGHT CORNER OF THE PLAN) for use by Planning Board in affixing Stamp of Approval. (ON ALL PAGES OF SUBDIVISION PLAN)**

SAMPLE: 
5. _____ **Tax Map Data (Section, Block & Lot). (PLEASE PUT THE TAX MAP NUMBER IN THE CORNER OF THE APPROVAL BOX ALSO**
6. _____ Location Map at a scale of 1" = 2,000 ft.
7. _____ Zoning table showing what is required in the particular zone and what applicant is proposing.
8. _____ Show zoning boundary if any portion of proposed subdivision is within or adjacent to a different zone.
9. _____ Date of plat preparation and/or date of any plat revisions.
10. _____ Scale the plat is drawn to and North arrow.
11. _____ Designation (in title) if submitted as sketch plan, preliminary plan or final plan.
12. _____ Surveyor's certificate.
13. _____ Surveyor's seal and signature.
14. _____ Name of adjoining owners.
15. _____ Wetlands and 100 foot buffer zone with an appropriate note regarding DEC requirements.
- * 16. _____ Flood land boundaries.
17. _____ A note stating that the septic system for each lot is to be designed by a licensed professional before a building permit can be issued.

- 18._____ Final metes and bounds.
- 19._____ Name and width of adjacent streets; the road boundary is to be a minimum of 25 ft. from the physical center line of the street.
- 20._____ Include existing or proposed easements.
- 21._____ Right-of-way widths.
- 22._____ Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 16 ft. wide).
- 23._____ Lot area (in square feet for each lot less than 2 acres).
- 24._____ Number the lots including residual lot.
- 25._____ Show any existing waterways.
- *26._____ A note stating a road (or any other type) maintenance agreement is to be filed in the Town Clerk's Office and County Clerk's Office.
- 27._____ Applicable note pertaining to owner's review and concurrence with plat together with owner's signature.
- 28._____ Show any existing or proposed improvements, i.e., drainage systems, water lines, sewer lines, etc. (including location, size and depths).
- 29._____ Show all existing houses, accessory structures, existing wells and septic systems within 200 ft. of the parcel to be subdivided.
- 30._____ Show all and proposed on-site A septic system and well locations; with percolation and deep test locations and information, including date of test and name of professional who performed test.
- 31._____ Provide A septic system design notes as required by the Town of New Windsor.
- 32._____ Show existing grade by contour (2 ft. interval preferred) and indicate source of contour data.
- 33._____ Indicate percentage and direction of grade.
- 34._____ Indicate any reference to previous, i.e., file map date, file map number and previous lot number.
- 35._____ Indicate location of street or area lighting (if required).

REFERRING TO QUESTION 9 ON THE APPLICATION FORM, IS THIS PROPERTY WITHIN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION OR WITHIN 500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT, PLEASE NOTE THE FOLLOWING:

36. _____ Referral to Orange County Planning Dept. is required for all applicants filing AD Statement.
37. _____ A disclosure Statement, in the form set below, must be inscribed on all subdivision maps prior to the affixing of a stamp of approval, whether or not the Planning Board specifically requires such a statement as a condition of approval.

Prior to the sale, lease, purchase, or exchange of property on this site which is wholly or partially within or immediately adjacent to or within 500 feet of a farm operation, the purchaser or leasor shall be notified of such farm operation with a copy of the following notification.

It is the policy of this State and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district or within 500 feet of such a district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors.

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

PREPARER'S ACKNOWLEDGMENT:

THE PLAT FOR THE PROPOSED SUBDIVISION HAS BEEN PREPARED IN ACCORDANCE WITH THIS CHECKLIST AND THE TOWN OF NEW WINDSOR ORDINANCES, TO THE BEST OF MY KNOWLEDGE.

BY: _____
Licensed Professional Date

⌘ ⌘ ⌘ ⌘ ⌘ ⌘ PLEASE NOTE: ⌘ ⌘ ⌘ ⌘ ⌘ ⌘

THE APPLICANT OR THEIR REPRESENTATIVE IS RESPONSIBLE TO KEEP TRACK OF ALL EXPIRATION DATES FOR ANY AND ALL APPROVALS GRANTED TO A PROJECT. EXTENSIONS MUST BE APPLIED FOR PRIOR TO EXPIRATION DATE.

TOWN OF NEW WINDSOR PLANNING BOARD
SITE PLAN CHECKLIST

ITEM

1. _____ Site Plan Title
2. _____ Provide 4" wide X 2" high box (**IN THE LOWEST RIGHT CORNER OF THE PLAN**) for use by Planning Board in affixing Stamp of Approval. (ON ALL PAGES OF SITE PLAN).

SAMPLE:



3. _____ Applicant's Name(s)
4. _____ **Tax Map Data (Section, Block & Lot). (PLEASE PUT THE TAX MAP NUMBER IN THE CORNER OF THE APPROVAL BOX ALSO**
5. _____ Applicant's Address
6. _____ Site Plan Preparer's Name
7. _____ Site Plan Preparer's Address
8. _____ Drawing Date
9. _____ Revision Dates
10. _____ Area Map Inset and Site Designation
11. _____ Properties within 500' of site
12. _____ Property Owners (Item #10)
13. _____ Plot Plan
14. _____ Scale (1" = 50' or lesser)
15. _____ Metes and Bounds
16. _____ Zoning Designation
17. _____ North Arrow
18. _____ Abutting Property Owners
19. _____ Existing Building Locations
20. _____ Existing Paved Areas
21. _____ Existing Vegetation
22. _____ Existing Access & Egress

23. _____ Landscaping
24. _____ Exterior Lighting
25. _____ Screening
26. _____ Access & Egress
27. _____ Parking Areas
28. _____ Loading Areas
29. _____ Paving Details (Items 25 - 27)
30. _____ Curbing Locations
31. _____ Curbing through section
32. _____ Catch Basin Locations
33. _____ Catch Basin Through Section
34. _____ Storm Drainage
35. _____ Refuse Storage
36. _____ Other Outdoor Storage
37. _____ Water Supply
38. _____ Sanitary Disposal System
39. _____ Fire Hydrants
40. _____ Building Locations
41. _____ Building Setbacks
42. _____ Front Building Elevations
43. _____ Divisions of Occupancy
44. _____ Sign Details
45. _____ Bulk Table Inset
46. _____ Property Area (Nearest 100 sq. ft.)
47. _____ Building Coverage (sq. ft.)
48. _____ Building Coverage (% of total area)
49. _____ Pavement Coverage (sq. ft.)
50. _____ Pavement Coverage (% of total area)
51. _____ Open Space (sq. ft.)
52. _____ Open Space (% of total area)
53. _____ No. of parking spaces proposed
54. _____ No. of parking spaces required

PAGE 2 OF 3

**REFERRING TO QUESTION 9 ON THE APPLICATION FORM, AIS THIS PROPERTY
WITHIN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION OR WITHIN**

500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT,
PLEASE NOTE THE FOLLOWING:

55. _____ Referral to Orange County Planning Dept. is required for all applicants filing AD Statement.
56. _____ A disclosure Statement, in the form set below, must be inscribed on all site plan maps prior to the affixing of a stamp of approval, whether or not the Planning Board specifically requires such a statement as a condition of approval.

APrior to the sale, lease, purchase, or exchange of property on this site which is wholly or partially within or immediately adjacent to or within 500 feet of a farm operation, the purchaser or leasee shall be notified of such farm operation with a copy of the following notification.

It is the policy of this State and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district or within 500 feet of such a district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors.

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

PREPARER'S ACKNOWLEDGMENT:

THE PLAT FOR THE PROPOSED SITE PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THIS CHECKLIST AND THE TOWN OF NEW WINDSOR ORDINANCES, TO THE BEST OF MY KNOWLEDGE.

BY: _____
Licensed Professional Date

⌘ ⌘ ⌘ ⌘ ⌘ ⌘ PLEASE NOTE: ⌘ ⌘ ⌘ ⌘ ⌘ ⌘

THE APPLICANT OR THEIR REPRESENTATIVE IS RESPONSIBLE TO KEEP TRACK OF ALL EXPIRATION DATES FOR ANY AND ALL APPROVALS GRANTED TO A PROJECT. EXTENSIONS MUST BE APPLIED FOR PRIOR TO EXPIRATION DATE.

ATTACHMENTS

A. Certificate Flood Hazard Area Development.

I Michael Bonura hereby certify that the property or properties mentioned in this application is/are not located in a flood zone.



Signature

PLEASE NOTE:

***IF PROPERTY IS NOT LOCATED IN A FLOOD ZONE, PLEASE SIGN ABOVE VERIFYING THAT. RETURN THIS FORM WITH PLANNING BOARD APPLICATION**

****IF PROPERTY IS LOCATED IN A FLOOD ZONE, PLEASE OBTAIN COMPLETE APPLICATION FROM P.B. SECRETARY.**

Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR <i>Pier Properties, LLC</i>	2. PROJECT NAME <i>Anthony's Pier 9</i>
3. PROJECT LOCATION: Municipality <i>New Windsor</i> County <i>Orange</i>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <i>2975 US Route 9W - New Windsor, NY 12553</i>	
5. PROPOSED ACTION IS: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <i>Site Plan Alteration and Lot Line Change</i>	
7. AMOUNT OF LAND AFFECTED: Initially <i>7.468</i> acres Ultimately <i>7.859</i> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe: <i>Catering Facility</i>	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <i>Pier Properties, LLC - Michael Bonura</i> Date: <i>4/7/10</i> Signature: <i>Michael Bonura</i>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)	
C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:	
C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:	
C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:	
C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:	
C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:	
C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:	
C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:	
D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?	
<input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, explain briefly:	
E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?	
<input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, explain briefly:	

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

- ☐ Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- ☐ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide, on attachments as necessary, the reasons supporting this determination

_____ Name of Lead Agency	_____ Date
_____ Print or Type Name of Responsible Officer in Lead Agency	_____ Title of Responsible Officer
_____ Signature of Responsible Officer in Lead Agency	_____ Signature of Preparer (If different from responsible officer)

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